



*United States Attorney  
Eastern District of New York*

RJN  
#2009R01167

*271 Cadman Plaza East  
Brooklyn, New York 11201*

September 15, 2010

**BY ECF**

The Honorable Eric N. Vitaliano  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: United States v. Jerome Caramelli, et al.  
Criminal Docket No. 10-0010 (S-4) (ENV)

Dear Judge Vitaliano:

The government respectfully requests an order releasing (1) certain crime scene evidence obtained by the New York Police Department ("NYPD") and (2) an affidavit in support of a search warrant obtained by the Kings County District Attorney's Office, to the United States Attorney's Office for the Eastern District of New York.

The robbery charged in Racketeering Act 12 and Counts 27 and 28 of the superseding indictment in the above-captioned matter was initially investigated by the NYPD. The United States Attorney's Office for the Eastern District of New York has already obtained a substantial portion of the relevant files maintained by the NYPD and the District Attorney's Office, and has satisfied its Rule 16 disclosure obligations with respect to those files that it has already received. However, the government has been informed that the NYPD and the District Attorney's Office cannot release the following items without an order from this Court: (1) the file maintained by NYPD's crime scene unit relating to Case Number 7128 and 7128A and (2) the affidavit in support of a search warrant, issued on November 12, 2009, by the Honorable Vincent M. Del Giudice, Search Warrant Number 430/09.

Accordingly, the NYPD and the Kings County District Attorney's Office has requested an Order from this Court so that it may provide these files and documents to the United States Attorney's office, in order for the government to satisfy its disclosure obligations.

For the reasons stated above, the government respectfully requests that this Court order the disclosure of the files and documents described above to the United States Attorney's Office for the Eastern District of New York.

A proposed order is attached.

Respectfully submitted,

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